

At the end of subtitle E of title VIII, add the following:

SEC. 857. PILOT PROGRAM TO CREATE THREAT-RESPONSIVE ELECTRONIC WARFARE CAPABILITIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) electronic warfare is an increasingly important function in modern conflict, with advances made possible by new microelectronics and software capabilities;

(2) the Department of Defense pursues Electronic Warfare capabilities mostly through investments in major defense acquisition programs aligned around platforms, including aircraft and ships, and the resulting capabilities are often defensive in nature, focused on protecting the host platform; and

(3) there is substantial opportunity and need to deliver electronic warfare capabilities focused on specific threats, and responsive to related changes and opportunities.

(b) PILOT PROGRAM.—

(1) IN GENERAL.—The Under Secretary of Acquisition and Sustainment may establish a pilot program to create threat-responsive electronic warfare capabilities.

(2) FOCUS.—The pilot program established under paragraph (1) shall focus on the following objectives:

(A) Selection of specific threats, including those relevant to the Defense Advanced Research Project Agency's Assault Breaker II program.

(B) Offensive electronic warfare capabilities.

(C) Capabilities that cross multiple platforms, domains, or mission systems.

(D) Capabilities that may alter the conduct of existing platform missions or roles.

(3) ORGANIZATION.—The Under Secretary of Defense for Acquisition and Sustainment may organize the pilot program under its Platforms and Weapons Portfolio Manager function or other suitable function cognizance and oversight of Electronic warfare equities across the Department of Defense.

(4) ACQUISITION.—To the extent feasible, capabilities directed, coordinated, developed, or procured under this pilot shall be inserted into existing weapons systems in the sustainment phase of their lifecycle, reflecting a software-defined and threat-responsive approach.

(5) RECOMMENDATIONS.—The Under Secretary of Defense for Acquisition and Sustainment shall make recommendations on the utility of organizing the funding and activities currently aligned with hardware-centric program elements into one or more portfolios organized according to functional needs in accordance with objectives the pilot program.

(c) ANNUAL BRIEFING.—Not later than one year after the date on which a pilot program is established under subsection (b), and annually thereafter until the date that is five years after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall submit to the congressional defense committees a briefing on the pilot program.

(d) TERMINATION.—The pilot program shall terminate on the date that is 5 years after the date of the enactment of this Act.

SA 4624. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military

personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XVI, insert the following:

SEC. _____. EDUCATIONAL ASSISTANCE FOR PURSUIT OF PROGRAMS OF EDUCATION IN CYBERSECURITY.

(a) PROGRAM REQUIRED.—The Secretary of Defense shall, acting through the Director of Operational Test and Evaluation, carry out a program on the provision of educational assistance to individuals for the pursuit of a programs of education in the field of cybersecurity in support of Department of Defense requirements and in order to create a talent pipeline for the cyber testing and evaluation workforce capable of improving confidence in the operational effectiveness, suitability, and survivability of software-enabled and cyber physical systems.

(b) REQUIREMENTS.—In providing educational assistance under subsection (a), the Secretary shall ensure that the educational assistance is provided for programs of education that lead to a degree or certification in a cybersecurity field from an institution of higher education, including a community college.

(c) FUNDING.—

(1) ADDITIONAL AMOUNT.—The amount authorized to be appropriated for fiscal year 2022 by section 201 for research, development, test, and evaluation is hereby increased by \$3,000,000, with the amount of the increase to be available for Life Fire Test and Evaluation (PE 0605131OTE).

(2) AVAILABILITY.—The amount available under paragraph (1) shall be available to carry out the program required by subsection (a).

(3) OFFSET.—The amount authorized to be appropriated for fiscal year 2022 by section 301 for operation and maintenance is hereby decreased by \$3,000,000, with the amount of the decrease to be taken from amounts available as specified in the funding table in section 4301 for the Afghanistan Security Forces Fund.

SA 4625. Mr. VAN HOLLEN (for himself and Mr. SULLIVAN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Foreign Service Families Act of 2021

SECTION 1071. SHORT TITLE.

This subtitle may be cited as the “Foreign Service Families Act of 2021”.

SEC. 1072. TELECOMMUTING OPPORTUNITIES.

(a) DETO POLICY.—

(1) IN GENERAL.—Each Federal department and agency shall establish a policy enumerating the circumstances under which employees may be permitted to temporarily perform work requirements and duties from approved overseas locations where there is a related Foreign Service assignment pursuant to an approved Domestically Employed Teleworking Overseas (DETO) agreement.

(2) PARTICIPATION.—The policy described under paragraph (1) shall—

(A) ensure that telework does not diminish employee performance or agency operations;

(B) require a written agreement that—

(i) is entered into between an agency manager and an employee authorized to telework, that outlines the specific work arrangement that is agreed to; and

(ii) is mandatory in order for any employee to participate in telework;

(C) provide that an employee may not be authorized to telework if the performance of that employee does not comply with the terms of the written agreement between the agency manager and that employee;

(D) except in emergency situations as determined by the head of an agency, not apply to any employee of the agency whose official duties require on at least a monthly basis—

(i) direct handling of secure materials determined to be inappropriate for telework by the agency head; or

(ii) on-site activity that cannot be handled remotely or at an alternate worksite;

(E) be incorporated as part of the continuity of operations plans of the agency in the event of an emergency; and

(F) enumerate the circumstances under which employees may be permitted to temporarily perform work requirements and duties from approved overseas locations.

(b) ACCESS TO ICASS SYSTEM.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall revise chapter 900 of volume 6 of the Foreign Affairs Manual, the International Cooperative Administrative Support Services Handbook, the Personnel Operations Handbook, and any other relevant regulations to allow each Federal agency that has enacted a policy under subsection (a) to have access to the International Cooperative Administrative Support Services (ICASS) system.

SEC. 1073. EMPLOYMENT AND EDUCATION PROGRAMS FOR ELIGIBLE FAMILY MEMBERS OF MEMBERS OF THE FOREIGN SERVICE.

Section 706(b) of the Foreign Service Act of 1980 (22 U.S.C. 4026(b)) is amended—

(1) in paragraph (1)—

(A) by striking “The Secretary may facilitate the employment of spouses of members of the Foreign Service by—” and inserting “The Secretary shall implement such measures as the Secretary considers necessary to facilitate the employment of spouses and members of the Service. The measures may include—”; and

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by amending subparagraph (C) to read as follows:

“(C) establishing a program for assisting eligible family members in accessing employment and education opportunities, as appropriate, including by exercising the authorities, in relevant part, under sections 1784 and 1784a of title 10, United States Code, and subject to such regulations as the Secretary may prescribe modeled after those prescribed pursuant to subsection (b) of such section 1784;”;

(2) by redesignating paragraph (2) as paragraph (6);

(3) by inserting after paragraph (1) the following new paragraphs:

“(2) The Secretary may prescribe regulations—

“(A) to provide preference to eligible family members in hiring for any civilian position in the Department, notwithstanding the prohibition on marital discrimination found in 5 U.S.C. 2302(b)(1)(E), if—

“(i) the eligible family member is among persons determined to be best qualified for the position; and

“(ii) the position is located in the overseas country of assignment of their sponsoring employee;

“(B) to ensure that notice of any vacant position in the Department is provided in a

manner reasonably designed to reach eligible family members of sponsoring employees whose permanent duty stations are in the same country as that in which the position is located; and

“(C) to ensure that an eligible family member who applies for a vacant position in the Department shall, to the extent practicable, be considered for any such position located in the same country as the permanent duty station of their sponsoring employee.

“(3) Nothing in this section may be construed to provide an eligible family member with entitlement or preference in hiring over an individual who is preference eligible.

“(4) Under regulations prescribed by the Secretary, a chief of mission may, consistent with all applicable laws and regulations pertaining to the ICASS system, make available to an eligible family member and a non-Department entity space in an embassy or consulate for the purpose of the non-Department entity providing employment-related training for eligible family members.

“(5) The Secretary may work with the Director of the Office of Personnel Management and the heads of other Federal departments and agencies to expand and facilitate the use of existing Federal programs and resources in support of eligible family member employment.”; and

(4) by adding after paragraph (6), as redesignated by paragraph (2) of this subsection, the following new paragraph:

“(7) In this subsection, the term ‘eligible family member’ refers to family members of government employees assigned abroad or hired for service at their post of residence who are appointed by the Secretary of State or the Administrator of the United States Agency for International Development pursuant to sections 102, 202, 303, and 311.”.

SEC. 1074. BRIEFING ON FOREIGN SERVICE FAMILY RESERVE CORPS.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of State shall brief the appropriate congressional committees on the status of implementation of the Foreign Service Family Reserve Corps.

(b) ELEMENTS.—The briefing required under subsection (a) shall include the following elements:

(1) A description of the status of implementation of the Foreign Service Family Reserve Corps (FSFRC).

(2) An assessment of the extent to which implementation was impacted by the Department's hiring freeze and a detailed explanation of the effect of any such impacts.

(3) A description of the status of implementation of a hiring preference for the FSFRC.

(4) A detailed accounting of any individuals eligible for membership in the FSFRC who were unable to begin working at a new location as a result of being unable to transfer their security clearance, including an assessment of whether they would have been able to port their clearance as a member of the FSFRC if the program had been fully implemented.

(5) An estimate of the number of individuals who are eligible to join the FSFRC worldwide and the categories, as detailed in the Under Secretary for Management's guidance dated May 3, 2016, under which those individuals would enroll.

(6) An estimate of the number of individuals who are enrolled in the FSFRC worldwide and the categories, as detailed in the Under Secretary for Management's guidance dated May 3, 2016, under which those individuals enrolled.

(7) An estimate of the number of individuals who were enrolled in each phase of the implementation of the FSFRC as detailed in

guidance issued by the Under Secretary for Management.

(8) An estimate of the number of individuals enrolled in the FSFRC who have successfully transferred a security clearance to a new post since implementation of the program began.

(9) An estimate of the number of individuals enrolled in the FSFRC who have been unable to successfully transfer a security clearance to a new post since implementation of the program began.

(10) An estimate of the number of individuals who have declined in writing to apply to the FSFRC.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

SEC. 1075. TREATMENT OF FAMILY MEMBERS SEEKING POSITIONS CUSTOMARILY FILLED BY FOREIGN SERVICE OFFICERS OR FOREIGN NATIONAL EMPLOYEES.

Section 311 of the Foreign Service Act of 1980 (22 U.S.C. 3951) is amended by adding at the end the following:

“(e) The Secretary shall hold a family member of a government employee described in subsection (a) seeking employment in a position described in that subsection to the same employment standards as those applicable to Foreign Service officers, Foreign Service personnel, or foreign national employees seeking the same or a substantially similar position.”.

SEC. 1076. IN-STATE TUITION RATES FOR MEMBERS OF QUALIFYING FEDERAL SERVICE.

(a) IN GENERAL.—Section 135 of the Higher Education Act of 1965 (20 U.S.C. 1015d) is amended—

(1) in the section heading, by striking “THE ARMED FORCES ON ACTIVE DUTY, SPOUSES, AND DEPENDENT CHILDREN” and inserting “QUALIFYING FEDERAL SERVICE”;

(2) in subsection (a), by striking “member of the armed forces who is on active duty for a period of more than 30 days and” and inserting “member of a qualifying Federal service”;

(3) in subsection (b), by striking “member of the armed forces” and inserting “member of a qualifying Federal service”; and

(4) by striking subsection (d) and inserting the following:

“(d) DEFINITIONS.—In this section, the term ‘member of a qualifying Federal service’ means—

“(1) a member of the armed forces (as defined in section 101 of title 10, United States Code) who is on active duty for a period of more than 30 days (as defined in section 101 of title 10, United States Code); or

“(2) a member of the Foreign Service (as defined in section 103 of the Foreign Service Act of 1980 (22 U.S.C. 3903)) who is on active duty for a period of more than 30 days.”.

(b) EFFECTIVE DATE.—The amendments made under subsection (a) shall take effect at each public institution of higher education in a State that receives assistance under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) for the first period of enrollment at such institution that begins after July 1, 2021.

SEC. 1077. TERMINATION OF RESIDENTIAL OR MOTOR VEHICLE LEASES AND TELEPHONE SERVICE CONTRACTS FOR CERTAIN MEMBERS OF THE FOREIGN SERVICE.

(a) IN GENERAL.—Chapter 9 of title I of the Foreign Service Act of 1980 (22 U.S.C. 4081 et

seq.) is amended by adding at the end the following new section:

“SEC. 907. TERMINATION OF RESIDENTIAL OR MOTOR VEHICLE LEASES AND TELEPHONE SERVICE CONTRACTS.

“The terms governing the termination of residential or motor vehicle leases and telephone service contracts described in sections 305 and 305A, respectively of the Servicemembers Civil Relief Act (50 U.S.C. 3955 and 3956) with respect to servicemembers who receive military orders described in such Act shall apply in the same manner and to the same extent to members of the Service who are posted abroad at a Foreign Service post in accordance with this Act.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 2 of the Foreign Service Act of 1980 is amended by inserting after the item relating to section 906 the following new item:

“Sec. 907. Termination of residential or motor vehicle leases and telephone service contracts.”.

SA 4626. Mr. COONS submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1283. BUDGETARY TREATMENT OF EQUITY INVESTMENTS BY UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION.

(a) IN GENERAL.—Section 1421(c) of the Better Utilization of Investments Leading to Development Act of 2018 (22 U.S.C. 9621(c)) is amended by adding at the end the following:

“(7) PRESENT VALUE OF EQUITY ACCOUNT.—There is established in the Treasury an account, to be known as the ‘Present Value of Equity Account’, to carry out this subsection.

“(8) BUDGETARY TREATMENT OF EQUITY INVESTMENTS.—

“(A) CALCULATION OF COSTS OF SUPPORT.—Subject to subparagraph (B), the cost of support provided under paragraph (1) shall be estimated on a present value basis, excluding administrative costs and any incidental effects on governmental receipts or outlays.

“(B) DETERMINATION OF COST.—

“(i) IN GENERAL.—The cost of support provided under paragraph (1) with respect to a project shall be the net present value, at the time when funds are disbursed to provide the support, of the following estimated cash flows:

“(I) The purchase price of the support.

“(II) Dividends, redemptions, and other shareholder distributions during the term of the support.

“(III) Proceeds received upon a sale, redemption, or other liquidation of the support.

“(IV) Foreign currency fluctuations, in the case of support denominated in foreign currencies.

“(V) Any other relevant cash flow.

“(ii) CHANGES IN TERMS INCLUDED.—The estimated cash flows described in subclauses (I) through (V) of clause (i) shall include the effects of changes in terms resulting from the exercise of options included in the agreement to provide the support.